

PCT

#7  
PCT Rec'd 20 MAR 2002

Docket No.:  
In re:  
US National Application No.:  
US National Filing Date:  
International Application No.:  
International Filing Date:

PG3733USw  
Stephen Anthony Burbidge  
10/018,640

PCT/GB00/02516  
June 30, 2000

PCT Notice of Missing Requirements mailed:  
Title: NEW USES FOR POTASSIUM CHANNEL OPENERS

February 19, 2002

RECEIVED

Commissioner for Patents  
BOX PCT  
Washington, DC 20231  
Attn: DO/EO/US

11 APR 2002

Legal Staff  
International Division

**PCT Response to Notification of Missing Requirements  
under 35 USC 371 in the DO/EO/US**

Sirs:

In response to the PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US and mailed to us on February 19, 2002, we submit the declaration for Jonathan Dupere, signed on March 13, 2002.

Also attached is the copy of the 2<sup>nd</sup> transmission concerning filing under 35 USC 371, sent to PCT/(DO/EO/US) on 19 February 2002, which included the declarations for Burbidge, Clare, Cox, Hagen and Xie.

- Copy of Form PCT/DO/EO/905

Please charge our deposit account 07-1392 for all other associated fees.

Respectfully submitted,

Date: March 20, 2002

Bonnie L. Deppenbrock  
Bonnie Deppenbrock  
Attorney of Record 28,209  
GlaxoSmithKline.  
Corporate Intellectual Property Department  
Five Moore Drive, PO Box 13398  
Research Triangle Park, NC 27709  
Telephone: 919-483-2370  
Fax: 919-483-7988

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): Stephen Anthony Burbidge	Docket No. PG3733USW
---	-------------------------

Serial No. 10/018,640	Filing Date	Examiner	Group Art Unit
--------------------------	-------------	----------	----------------

Invention:

**NEW USES FOR POTASSIUM CHANNEL OPENERS**

I hereby certify that this PCT Response to Notification of Missing Requirements under 35 USC 371 in DO/EO/US  
(Identify type of correspondence)  
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.  
20231-0001 on March 20, 2002  
(Date)

Elaine Martens

(Typed or Printed Name of Person Mailing Correspondence)

Elaine Martens

(Signature of Person Mailing Correspondence)

EV022025429US

(Express Mail Mailing Label Number)

**Note: Each paper must have its own certificate of mailing.**

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371****PG371/USW**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

**10/018640**

INTERNATIONAL APPLICATION NO.

**PCT/GB00/02516**

INTERNATIONAL FILING DATE

**June 30, 2000**

PRIORITY DATE CLAIMED

**July 1, 1999**

TITLE OF INVENTION

**NEW USES FOR POTASSIUM CHANNEL OPENERS**

APPLICANT(S) FOR DO/EO/US

**Stephen Anthony Burbidge, et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**


13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☐ Other items or information:


U.S. APPLICATION NO. (IF KNOWN, SEE 37 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/GB00/02516</b>		ATTORNEY'S DOCKET NUMBER <b>PG3733USW</b>	
24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1040.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$710.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$130.00</b>	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	- 20 =	0	x \$18.00	<b>\$0.00</b>	
Independent claims	- 3 =	0	x \$84.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$130.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$130.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$130.00</b>	
				<b>Amount to be: refunded</b>	<b>\$</b>
				<b>charged</b>	<b>\$</b>


- a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

  
**23347**  
 PATENT TRADEMARK OFFICE

  
 SIGNATURE  
**Bonnie L. Deppenbrock**  
 NAME  
28,209  
 REGISTRATION NUMBER  
 DATE

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): <b>Stephen Anthony Burbidge</b>			Docket No. <b>PG3733USW</b>
Serial No. <b>10/018,640</b>	Filing Date	Examiner	Group Art Unit
Invention: <b>NEW USES FOR POTASSIUM CHANNEL OPENERS</b>			
<p>I hereby certify that this <u>PCT Response to Notification of Missing Requirements under 35 USC 371 in DO/EO/US</u>  <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.</p> <p>20231-0001 on <u>March 20, 2002</u>  <i>(Date)</i></p> <div style="text-align: right; margin-top: 20px;"> <u>Elaine Martens</u>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i>    <i>(Signature of Person Mailing Correspondence)</i>  <u>EV022025429US</u>  <i>(Express Mail Mailing Label Number)</i> </div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

DOCKET No. PG3733 USW Date Mailed 11/29/02 Atty/Secy BLD/AKJ  
MAILING: CERTIFICATE/EXPRESS MAIL # 1129/02  
U.S. Serial No.: 101018640 Filing Date: 12/19/01  
Int'l App. No.: PCT/GB00/02516 Int'l Filing Date: 6/30/00

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- |   |  |
|---|--|
| <input type="checkbox"/> Appln Transmit +1 copy for: <input type="checkbox"/> Provisional <input type="checkbox"/> CIP  | <input type="checkbox"/> Copy of Notice to Comply                        |
| <input type="checkbox"/> Utility <input type="checkbox"/> CONTIN <input type="checkbox"/> DIV <input type="checkbox"/> RCE <input type="checkbox"/> TRADEMARK | <input type="checkbox"/> Statement to Support Filing                     |
| <input type="checkbox"/> Specification _____ pgs <input type="checkbox"/> Abstract _____ pgs  | <input type="checkbox"/> Diskette <input type="checkbox"/> Sequence List |
| <input checked="" type="checkbox"/> Decls <u>15</u> pgs <input checked="" type="checkbox"/> Powers of Atty _____ pgs  | <input type="checkbox"/> Appeal Brief _____ pgs                          |
| <input type="checkbox"/> Drawings _____ Sheet(s)/Figs _____ to _____  | <input type="checkbox"/> Petition _____ pgs                              |
| <input type="checkbox"/> Assignment _____ pgs & Recordation Cover Sheet   | <input type="checkbox"/> Status Request                                  |
| <input checked="" type="checkbox"/> Transmit Ltr Nat'l Stage Entry +fee pg (3pgs)   | <input type="checkbox"/> 2nd Transmit for Nat'l Stage                    |
| <input type="checkbox"/> Information Disclosure Statement   | <input type="checkbox"/> Resp. to Written Opinion                        |
| <input type="checkbox"/> Form PTO-1449 _____ pgs. <input type="checkbox"/> References   | <input type="checkbox"/> Priority Doc # _____                            |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Response _____ pgs  | <input type="checkbox"/> Notice of Appeal +fee                           |
| <input type="checkbox"/> Petition for _____ month Extension of Time +1 copy   | <input type="checkbox"/> Resp to Restrict Req _____ pgs                  |
| <input type="checkbox"/> Issue Fee Trans. (Part B) + 1 copy   | <input type="checkbox"/> Req to Correct Filing Recpt                     |
| <input type="checkbox"/> Copy of Notice to File Missing Parts   | <input type="checkbox"/> Copy of Filing Receipt                          |
| <input type="checkbox"/> Request for Nonpublication (1 pg)  | <input type="checkbox"/> Req for Cert of Correct _____ pgs               |
| <input checked="" type="checkbox"/> Authorization to Charge Dep. Acct. # <u>07-1392</u>   |  |
| <input type="checkbox"/>  |  |
| <input type="checkbox"/>  |  |
| <input type="checkbox"/>  |  |

IC10 Rec'd PCT/PTO 19 FEB 2002



# POST OFFICE TO ADDRESSEE



EV 022025429 US

UNITED STATES POSTAL SERVICE®

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 27709	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 3 00 02	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 12.45
Time In 12:17	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight 6 lbs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials Lome	Total Postage & Fees \$ 12.45

SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND LIMITS  
ON INSURANCE COVERAGE

☐ WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday

Customer Signature

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

X277031202

Federal Agency Acct. No. or  
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ( )

PG 3733USU

TO: (PLEASE PRINT)

PHONE ( )

GLAXOSMITHKLINE  
CORPORATE INTELLECTUAL  
PROPERTY  
FIVE MOORE DR  
PO BOX 13398  
RTP NC 27709-3398

NC 27709-3398

BOX 1000  
COMMISSIONER FOR PATENTS  
US PATENT & TRADEMARK OFFICE  
WASHINGTON DC 20231-0001

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



MAILING: CERTIFICATE/EXPRESS MAIL # EV 022025429 US

U.S. Serial No.: 100181640

Filing Date:

Int'l App. No.:

Int'l Filing Date:

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- ☐ Appln Transmit +1 copy for: ☐ Provisional ☐ CIP
- ☐ Utility ☐ CONTIN ☐ DIV ☐ RCE ☐ TRADEMARK
- ☐ Specification \_\_\_ pgs ☐ Abstract \_\_\_ pgs
- ☐ Decs \_\_\_ pgs ☐ Powers of Atty \_\_\_ pgs
- ☐ Drawings \_\_\_ Sheet(s)/Figs \_\_\_ to \_\_\_
- ☐ Assignment \_\_\_ pgs & Recordation Cover Sheet
- ☐ Transmit Ltr Nat'l Stage Entry +fee pg (3pgs)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449 \_\_\_ pgs. ☐ References
- ☐ Amendment ☐ Response \_\_\_ pgs
- ☐ Petition for \_\_\_ month Extension of Time +1 copy
- ☐ Issue Fee Trans. (Part B) + 1 copy
- ☐ Copy of Notice to File Missing Parts
- ☐ Request for Nonpublication (1 pg)

☒ Authorization to Charge Dep. Acct. # 07-1392☒ Resp to PCT Notice of Missing Requirements☒ Declaration = Dupere: Copy of 2nd transmissin with other☒ declarations; Certificate of Express Mail

- ☐ Copy of Notice to Comply
- ☐ Statement to Support Filing
- ☐ Diskette ☐ Sequence List
- ☐ Appeal Brief \_\_\_ pgs
- ☐ Petition \_\_\_ pgs
- ☐ Status Request
- ☐ 2nd Transmit for Nat'l Stage
- ☐ Resp. to Written Opinion
- ☐ Priority Doc #
- ☐ Notice of Appeal +fee
- ☐ Resp to Restrict Req \_\_\_ pgs
- ☐ Req to Correct Filing Recpt
- ☐ Copy of Filing Receipt
- ☐ Req for Cert of Correct \_\_\_ pgs

Customer Copy  
Label 11-F August 2000